

## **AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior listings of claims in the application:

1-31. (CANCELED)

32. (PREVIOUSLY PRESENTED) A method to enhance fluorescence of at least one of a cyanine or indocyanine dye administrable to a patient for a photodiagnostic or phototherapeutic procedure, the method comprising:

combining the at least one cyanine or indocyanine dye and a biocompatible organic solvent at a concentration ranging from about 1% to about 50% solvent to result in a composition that is administered to a patient after the combining, wherein the fluorescence of the composition is enhanced over the fluorescence of the cyanine or indocyanine dye itself.

33. (PREVIOUSLY PRESENTED) The method of claim 32 wherein the combining comprises combining a pharmaceutically acceptable formulation of the dye and the biocompatible organic solvent at a concentration ranging from about 1% to about 50% solvent.

34. (PREVIOUSLY AMENDED) The method of claim 32 wherein, after the combining, the dye is dissolved or suspended in the biocompatible organic solvent.

35. (PREVIOUSLY AMENDED) The method of claim 32 where the biocompatible organic solvent is selected from the group consisting of dimethylsulfoxide, ethyl alcohol, isopropyl alcohol, glycerol, a polyol, hydrogenated starch hydrolysate (HSH), isomalt (palitinit), polyglycerol, maltodextrin, cyclodextrin, starches, polysaccharides, and combinations thereof.

36-44. (CANCELED)

45. (PREVIOUSLY PRESENTED) The method of claim 32 where the biocompatible organic solvent is dimethylsulfoxide.

46. (WITHDRAWN) The method of claim 32 where the biocompatible organic solvent is ethyl alcohol.

47. (WITHDRAWN) The method of claim 32 where the biocompatible organic solvent is isopropyl alcohol.

48. (WITHDRAWN) The method of claim 32 where the biocompatible organic solvent is glycerol.

49. (WITHDRAWN) The method of claim 32 where the biocompatible organic solvent is a polyol.

50. (WITHDRAWN) The method of claim 32 where the biocompatible organic solvent is polyglycerol.

51. (WITHDRAWN) The method of claim 32 where the biocompatible organic solvent is selected from the group consisting of dimethylsulfoxide, ethyl alcohol, isopropyl alcohol, glycerol, a polyol, hydrogenated starch hydrolysate (HSH), isomalt (palitinit), polyglycerol, maltodextrin, starches, polysaccharides, and combinations thereof.

52. (WITHDRAWN) A method to enhance fluorescence of at least one of a cyanine or indocyanine dye administrable to a patient for a photodiagnostic or phototherapeutic procedure, the method comprising combining the at least one cyanine or indocyanine dye and a biocompatible organic solvent selected from the group consisting of dimethylsulfoxide, ethyl alcohol, isopropyl alcohol, glycerol, a polyol, hydrogenated starch hydrolysate (HSH), isomalt (palitinit), polyglycerol, maltodextrin, starches, polysaccharides, and combinations thereof at a concentration ranging from about 1% to about 50% solvent to result in a composition that is administered to a patient after the combining, wherein the fluorescence of the combination is enhanced over the fluorescence of the cyanine or indocyanine dye itself.

53. (NEW) A method to enhance fluorescence of at least one of a cyanine or indocyanine dye administrable to a patient for a photodiagnostic or phototherapeutic procedure, the method comprising:

combining the at least one cyanine or indocyanine dye having a hydrophobic core that form aggregates in aqueous media, and a biocompatible organic solvent at a concentration ranging from about 1% to about 50% solvent to result in a composition,

thereafter administering the combined composition to a patient, and

performing the photodiagnostic or phototherapeutic procedure on the patient administered the combined composition with enhanced fluorescence of the composition over the fluorescence of the cyanine or indocyanine dye itself.

54. (NEW) The method of claim 53 wherein the combining comprises combining a pharmaceutically acceptable formulation of the dye and the biocompatible organic solvent at a concentration ranging from about 1% to about 50% solvent.

55. (NEW) The method of claim 53 wherein, after the combining, the dye is dissolved or suspended in the biocompatible organic solvent.

56. (NEW) The method of claim 53 where the biocompatible organic solvent is selected from the group consisting of dimethylsulfoxide, ethyl alcohol, isopropyl alcohol, glycerol, a polyol, hydrogenated starch hydrolysate (HSH), isomalt (palitinit), polyglycerol, maltodextrin, cyclodextrin, starches, polysaccharides, and combinations thereof.

57. (NEW) The method of claim 53 where the biocompatible organic solvent is dimethylsulfoxide.